

JOSEPH P. SCHMITT, pro se.,  
Plaintiff,

UNITED STATES DISTRICT COURT  
IN CLERKS OFFICE

v.

MA. DEPT. OF COREECTION, et al.,  
Defendants.

2007 JUN -5 P 1:54

CIVIL DOCKET NO. 06-10573-RWZ

U.S. DISTRICT COURT  
DISTRICT OF MASS.

PLAINTIFF'S MOTION FOR COURT TO RULE ON PREVIOUSLY FILE  
MOTION ENTILED, PLAINTIFF'S MOTION FOR RECONSIDERATION  
OF COURT'S (RYA W. ZOBEL) ORDER DATED FEBRUARY 5,2007

Now comes the pro se plaintiff and respectfully moves the court to rule on his previously file motion, "Plaintiff's Motion for Reconsideration of Court's (Rya W. Zobel) Order Dated February 5,2007" mailed to the court on or about February 16,2007.

As grounds plaintiff states that the excessive delays on this motion reflects an overall attitude on the entire action. Such delays prejudice the plaintiff's case as it allows witnesses and defendants alike to forget importart facts of the case.

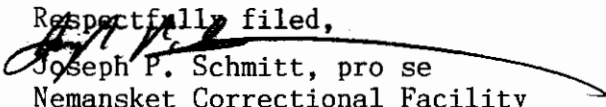
Plaintiff here and now states for the record that the continued and repeated delays tend to show a real prejudice against the him and he strongly believes the delays are based on the facts that he is incarcerated and a civilly committed sexually dangerous person.

Plaintiff reminds the Court that this case was filed in 2005 and today it has barely moved forward; a trend with all plaintiff's cases before this Court.

WHEREFORE, plaintiff respectfully moves that the Court rule on his motion. The motion in question is based on matter of law and with all due respect, the Court has no lawful option but to grant the motion as case law and statute dictate such a ruling in favor of the pro se plaintiff.

Dated: May 30, 2007

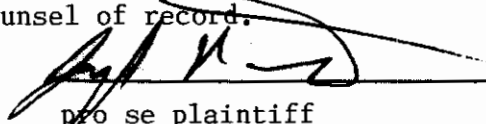
Respectfully filed,

  
Joseph P. Schmitt, pro se  
Nemansket Correctional Facility  
30 Administration Road  
Bridgewater, Massachusetts  
02324-3230

RE: USDC C.A. No. 2005-10573-RWZ

CERTIFICATE OF SERVICE

I, Joseph P. Schmitt, hereby certify that a true copy of the above motion entitled, "PLAINTIFF'S MOTION FOR COURT TO RULE ON PREVIOUSLY FILE MOTION ENTITLED, PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S (RYA W. ZOBEL) ORDER DATED FEBRUARY 5,2007," was mailed by Intra Facility-intra department mail on or about May 31,2007 to opposing counsel of record.

A handwritten signature in black ink, appearing to read 'J. P. Schmitt', is written over a horizontal line.

pro se plaintiff  
Joseph P. Schmitt